File no-5809

SN 4-11

Previous references

File No. 5 of 09

1909

Serial Nos. 4, 5(a), 6, 10

(Courts

Later references.

sl 17 Jan 10

Cs 14-10. 7-10

Cs 74-11

Cs 37-12.

Sl 1-6, 8 & 9

Ab 18-12-1-6

GENERAL AND REVENUE SECRETARIAT.

Cs- 45-13-33 B.

Cs- 18-17 (3-16)

62-22 (3-5)

180-26 (17-24)

Cs 17-28-2

Serial Nos. 4 5(a), 6 10 and 11

Part B. for November 1909

SUBJECT.

Appointment of Honorary Magistrates (Bangalore city)

Table of Contents

4 From the District Magistrate Bangalore No S 113 B/17-8-
Submits proposals for the constitution of a Bench
of Honorary Magistrates in the Bangalore city

5(a) To the Registrar chief court comptroller to Govt
Rev commissioner in Mysore, the S.P. of Police Mysore
District Magistrates of Bangalore and other District
and the Supdt Govt Press & Stationery No J 973-85 & 27
Approves of the appointment of some 10 gentleman a
G. R. S. 58 Honorary Magistrates with 2nd class powers and pas
orders with regard to the establishment contingencies
stationery and forms on the same lines as those of
4 requests the District Magi take to arrange for

P. T. O.

6 To the compiler, Mysore Gazette No J 986 & 27-9-09

Notifies the appointment of the said gentlemen as Magistrates of the 2nd class and directs that any two or more of them shall sit as a bench for the trial of cases with summary powers

10 From the District Magistrate Bangalore No S 2711 & 15-11-09

States that the name of M. Mahomed Abbas Khan ~~and~~ Timber merchant is by mistake entered as 'Mr R. Abbas Khan in the notification and requests that the necessary correction may be caused to be ~~shaded~~ made

To the compiler, Mysore Gazette No J 1430 & 23-11-09

Notifies the above and also certain other corrections

No. J 1431 & 23-11-09

Forwards a copy of the above

G.R.S.11] 1909-10

GENERAL AND REVENUE SECRETARIAT

(Courts.)

NOTES.

Cts. File No. 5-09-

FILE HEADING.

Appointment of Honorary Magistrates (Bangalore City)

From

The District Magistrate of Bangalore

No. S 113 Dated 19.8.09- Received 21.8.09-

Diary No. 9498 | Enclos. 2 | Spare Copies | Serial No. 4

BRIEF ABSTRACT OF LETTER.

Submits proposals for the Constitution of a Bench of Honorary Magistrates in the Bangalore City.

NOTES AND ORDERS.

Secretary's orders:- "Put up draft on about the same lines as in the Case of the Mysore City. Dated) K.S.C 21/8/09

Submitted with a draft order

P.J.O

NOTES—First sheet

GPB—30,000—3-4-07

Serial No.

1 Before putting up a draft Notification appointing Benches of magistrates under Section 15 of the Code of Criminal Procedure, it may perhaps be ascertained ~~as to~~ what particular gentlemen are to be grouped into each Bench.

4 Submitted for orders.

Hcz 23.8.09

5 Before a Satisfactory draft can be put up some points have to be cleared.

6 (1) The District Magistrate seems to be thinking that Honorary Magistrates are to be appointed now under Sec 14 (2) Cr. P. C. (ie Special Magistrates) The Scheme Sanctioned by Govt is ~~one~~ of a Bench of Magistrates under Sec 15. This however is a small Error and may be rectified here

7 (2) The District Magte proposes 4 members for Each Bench. A Bench Composed of three members would be more workeable.

8 (3) It does not seem to be Expedient to appoint Assessors beforehand

NOTE—Contn. sheet.

GPB—50,000—13.5.08

Serial No.

different Benches for different quarters of the year. The Dt Magistrate has also ~~not named any such~~ omitted to specify what members of the ~~different Benches~~ are to constitute each Bench

9 (4). It is to be feared that some of the members proposed are not quite eligible for appointment owing to their want of acquaintance with the English Language. The District Magte has not furnished any information on this point nor does he state whether Mr P. Sengrachari has resumed practice at the Bar.

Shall Sd

(7). The rules already provide for the Election of Chairman by the members thereof. Shall Sd

10 (5). It is desirable that the Bench should hold its sittings in the District Office Buildings as the Clerks of the City Magistrates Court will have to help in the clerk of the Bench in the disposal of routine work. The Dt Magistrates proposal in this respect also involves additional Expenditure of about ~~Rs~~ 30/- to 40/- p. m.

11 (6). The D. M. suggests for Cabinet's

Folios 5 & 6 of Cal Govt's letter dt 24/8/09 Sd

I have not been able to trace any rules on the point but it does not appear to be desirable that an active member of the Bar Shd at the same time hold a Judicial post—this or that may one

NOTE—Contn. sheet.

GPB.—50,000—13-5-08

Serial No.

~~Rs~~ 750/- for furniture

2. For the present a Bench Composed of Messrs Varadarajayya, V. Ramayya and M. Subbayya (I believe he is the proprietor of the firm of Messrs Rudrappa & Sons — he is also a graduate) may be appointed for a period of 3 or 6 months. The Dt Magte may be requested to find accommodation in the Dt Office Buildings. And as for furniture it is not known whether such a heavy grant is necessary. In other respects, the provisions made for the Mysore Bench may be adopted.

(No draft portion by the Office will be finally scrutinised after orders are passed on the above points.) 24/8/09 SH

Secy.

3. The Dt Magte may be informed that the Govt do not approve, ~~for the present~~ of gentlemen who are unacquainted with English and who have not had experience of the administration of the law either as Magistrate for a Dt Munsiff being appt Hon. Magte at the experimental stage. He may be asked to ascertain & report such of the gentlemen named as may be fit for these

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

File No. 5 of 1909

Serial No.

conditions are willing to accept nominations as Board Masters

(4) Other points such as provision for furniture etc to maybe reserved till final orders are passed This provision maybe cut down to Rs 1000 as and as regards accommodation the D.C. maybe asked to endeavour to provide the same either in or near the D.C. Office buildings

(5) If the suggestions made above are approved, the D.C. will be addressed accordingly

1745

(6) Please make the enquiry as suggested by the Secretary It may also be ascertained whether Mr Sugrachar is not practising as an Advocate

English Knowledge of law & some experience of possible without specifying persons service may be stated to be the requisite qualifications The enquiry may be made demi-officially

28/8/09

GPB—50,000—17-3-07

Serial No.

17 Let me see draft - (As regards accommodation, a separate reference was made the other day regarding two rooms in the Post Office buildings now occupied by the Police Clerk. A reference may be made to that in the draft) — [illegible]

18 Put up draft, please

CSB
28/8/09

CS 28/8

19 Submitted with a draft D.O.

Acs SN
30.8.09 31.8.09

31/8/09 SB

Secy

VS

31/8/09

7

G.R.S. 26]

Cts. File No. 5/09

Serial No.

Diary No. of letter replied to 498

Do No. 9672

24

General and Revenue Secretariat

( )

, *the* 190 .

~~To~~ (Dear - - -)

Date of issue 2 9 09

Signed by K.S. Chandrasekhara Aiyar Esqr

Please refer to your letter No S. 113 dated the 19th August 1909 to Govt, submitting proposals for the Constitution of a Bench of Honorary Magistrates for the Bangalore City.

27 2 Govt do not approve of gentlemen who are unacquainted with English and who do not possess a fair knowledge of law ~~and Revenue~~ and who have had no ~~local~~ Experience of its admins. ~~Values~~ ~~experience~~ being appointed over.

(~~Subject to approval~~ Please see 2nd Govt's letter)

SUBJECT.

SRV. 2/9

Honorary Magistrates at this experimental stage I am ~~directed~~ to request you therefore to ascertain and let me know ~~if the~~ the names of such of the gentlemen mentioned by you as may satisfy these conditions and also whether they would be willing to accept nominations as Honorary Magistrates.

2 & 3 It may also be ascertained whether Mr P Sungrachar is not practising as an advocate.

4 I am also to request to be furnished with an early reply to Mr Balasundaram Ayyar's D. letter No 1627 of 26. 8. 1909, regarding accommodation for the Bench in the Mysore Court House.

List of enclosures.

Yours Sincerely

B. J. Kumaraswami Naik Esq. B.A.
District Magistrate of Bangalore.

Copied by

Examined by

MG CPB—30,000—16-2-05

Routine Notes

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Br III

I understand that
two rooms in the Dr Clinic
New buildings are being
erected as Out Patient
rooms. If these could
be removed to the Dr Clinic
the space could be utilised
either for bacteriological
work, Bench of Out
Patients, or for additional
Dr Clinic accommodation
Please enquire in connection with the scheme
in hand for transferring a part of the Dr Clinic
to the New Buildings
Please enquire when the Dr Clinic
(by Dr O) will be
done.

Emily Hall
25/8/09

Ch
for Registrar Dr
25/8/09

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

(P B—35,000—21-4-0

G.R.S. 26]

File No.

Serial No.

Diary No. of letter replied to

D.O No. J/627/8/26/8/07.

General and Revenue Secretariat

( )

the 190 .

Date of issue 26th August 07

Signed by Mr. C.S. Balasundram Pyr.

~~To~~

(Dear - - -)

24 It is understood that two rooms in the District Office buildings are being utilized ~~for~~ as Police Store Rooms If the Stores Could be removed to the District Police Office or Somewhere else in the Fort, it may be convenient to utilize the space either for locating the new Bench of Honorary Magistrates or for adding to the Treasury accommodation in connection with the transfer of a part

over.

SUBJECT.

Dec/1907

of the work of the Anjur Treasury to the District Treasury.

I am to request to be informed ~~what steps are to be taken~~ whether there is any objection to the above proposal.

Yours Sincerely

CBS

CW 25/8/05

B.J. Kumara Swami Naik Esqr. B.A.

Deputy Commissioner Bangalore Dist

List of enclosures.

Copied by

Examined by CW

MGCPB—30,000—16-2-05

D.O.No. 118

J.581

Deputy Commissioner's Office,
Bangalore, 1st September 1909.

Dear Sir,

In reply to your D O letter No.J.627 dated the 26th ultimo enquiring whether there is any objection to utilize the rooms in the District office buildings now occupied by the Police Stores for locating the new Bench Magistrates' Court etc, I beg to state that the Court of Bench Magistrates may be conveniently held for the -- present in the said rooms till other accommodation is -- provided for. The said rooms being situated a little away from the main portion of the Treasury, do not seem to be quite convenient for being utilized in connection with the proposed transfer of the work of the Huzur Trea-

sury

12

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc.; not intended for permanent record.]

Submitted with a draft
D.O to the Deputy Commr
Bangalore
No EN 25/8/09
28-8-09.

Issue
sd
28/8/

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—45,000—19-5-08

G. R. S. 12]
General and Revenue Secretariat.

G. File No. 5 of 1909-10

Serial No.

29

The above D.O letter of 1st September 1909, from the District magistrate Bangalore, stating that the Bench of Honorary Magistrates may hold its sittings in the rooms now occupied by the Three Stores, is submitted for perusal.

28 A reply to this office D.O. of 2-9-1909 calling for certain particulars regarding the eligibility of the gentlemen nominated by the District magistrate may perhaps be awaited.

Secs 3.9.09

7/9/09

D.O. letter No 141 of 13.9.09. received from the District magistrate of Bangalore.

P.J.O.

NOTE—Contn. sheet.

GPB—50.000—13-5-08

D.O. No. 141

Deputy Commissioner's Office,
Bangalore, 18th September 1909.

Dear Sir,

With reference to your D.O.letter No.672 dated the 2nd instant in re the proposals for the constitution of a Bench of Magistrates for the Bangalore City, I beg to state that in making my proposals in the matter, I closely followed the system prevailing for the last 20 years in the Civil and Military Station, Bangalore, and I understand from the enclosed list that even at the very commencement of the institution of the Bench of Magistrates there, the co-operation of the public spirited non-official gentlemen was secured by appointing them not only as members and in one instance, at least, as Chairman

Chairman of the Bench. If I am allowed to give my opinion, I may say that by the restriction of the appointment to only retired Officers of Government, the system may not after all, work smoothly, since, the retired -- Officers of equal, or even different grades who, while in service exercised individually the powers now proposed to be given to them collectively, may not relish the idea of being made subordinate to the Chairman of the Bench for the time being. In this view of the matter, it is highly expedient to associate non official gentlemen who by their position in life, experience of men and their social customs and strong common sense, will be useful as members of the Bench in the administration of justice the Chairman being, of course, always, a tried retired Officer of Government possessing a knowledge of law and

and experience of its administration. The legislature has already recognized the underlying principle (I admit the analogy is not quite similar) in the adoption of the system of nominating assessors and jurors in the trial of persons accused of the more serious heinous offences. In view of the advantages to be secured by the combination of both the official and non-official gentlemen in the administration of justice and of the fact that only trivial cases such as petty -- assaults etc. and offences under the Municipal Regulation and bye-laws will be referred to the Bench for trial, the mere want of a knowledge of the English language and a pass in the Law Examinations should not be considered as a bar to the appointment of non-official gentlemen who are otherwise qualified to exercise the functions of -- Magistrates in their capacity as members of a Bench of

17

of Magistrates.

31 2 Since it was only at the repeated request of the members of the Representative Assembly that the Institution of the Bench of Honorary Magistrates was sanction-ed by Government, the appointment of only retired officers of Government who alone possess the qualifications now mentioned in your letter under reply, would not be, in any way, meeting the wishes of the non-official bodies who have all along been requesting that non-official gentlemen should be taken into the confidence of Government and associated with them, as far as practicable, in the administration of Justice.

3 & 3 In this connection, I may be permitted to say that as the Honorary Magistrates are required to work gratuitously, it is desirable that their number should be as

18

as large as practicable to avoid the inconveniences and also the possible evil consequences arising from the -- same members being required to sit as Magistrates throughout the year or for any long period continuously.

34 For the above reasons, I request that Government will be pleased to reconsider the objections raised to the nomination as Honorary Magistrates of the several gentlemen recommended by me in my first letter. All of them are willing to accept nominations as Honorary Magistrates and Mr.P.Sangrachar, who is now practising as an Advocate has in his letter of 9th ultimo stated that he would give up practising in case he is appointed an Honorary Magistrate.

Yours Sincerely,

K.S.Chandrasekhara Aiyar, Esq., B.A., B.L.,

Secretary to the Government of H.H. the Maharaja of Mysore, Genl &Rev.Depts.

Notification No.3207-3838 dated 24th September 1888.

The following gentlemen were appointed as Special Magistrates.

The C of the Station Bangalore.

1. Mr. Aga Abdulla
2. ,, T. Barton
3. ,, R.P. Campbell
4. ,, Chalavaraya Mudaliar
5. ,, W.C. Darling
6. ,, Essack Cassim Sait
7. ,, Ganesh Sing
8. ,, Gangadhara Chetty
9. ,, Haji Ismail Sait
10. ,, James Frederick
11. ,, R. Mackenzie
12. ,, Maigandadeva Mudaliar.
13. ,, Ramaswami Chetty
14. ,, Sreenivasiengar
15. ,, Vijaya Raghavalu Naidu.
16. ,, Changalaraya Mudaliar

"C O P Y"

Deputy Commissioner

Serial No.

28
Submitted for orders.

Hcs SH
14.9.09

29 The District Magistrate requests that the objections raised against his nominees may be reconsidered by Govt, and cites the 2nd instance of the C. & M. Sts where even at the Commencement non official Gentlemen with no previous acquaintance of law or its administration are said to have been appointed Honorary magistrates

30 A selection has now to be made out of the list furnished by the District Magte - unless he is to be requested to recommend fresh names

31 The question of accommodation has been solved. The Dist Magte says that the Bench can conveniently hold its Sittings in the Dist Office Buildings.

16/9/09 SH

Secy

32 For the present we may leave out those who have no knowledge of English, & retain the rest. (Please find an

NOTE—Contn. sheet.

GPB—50.000—13-5-08

Serial No.

Which of the persons selected besides those whose names I have placed my initial, I would suggest that I then put up a draft order appointing them Hon'ble Majesty, & arranging for accommodation & furniture &c

East Block

4 20/9/09 SB 25/9/09

SB Put up draft order on the lines of the Mysore Bench which was, after being initialled by the Secretary omit no 3 and include no 8, who I believe knows English fairly well

20/9/09 SB

41 34 Submitted with a draft order, a draft notification and a draft DO on the same lines as in the case of the Mysore City

Hes SN/21/9 - 42 35 20.9.09 The draft Not^n is drawn up on the analogy of a similar ~~notification~~ Not^n in the C. of H. Sl^y

21/9/09 SB

43 36 Summary powers may also be given

Sec^y Devan through 2nd C^n

44 37 I have had a ~~discussion~~ personal 21/9/09 SB

Serial No.

Conversation with the D. M. since

A. In his demi-offl letter, he speaks of questions of policy and principle without restricting himself to the spirit of the general orders already issued by Govt. But ignoring all extraneous matter I think it expedient that we should have a larger number than in Bezwada where we have to increase the number before starting work.

4538 As the work is all done by Mr. Kamada, and only simple cases go before these Magts, I do not consider it necessary to insist on a knowledge of English. Under our rules the D. M. has the power of appointing Chairmen and we may instruct him to have only those who know English & have had experience as such.

4639 I have selected the following names in consultation with the D. M. except the last whose name I remembered subsequently. I think all these ten gentle-

G. R. S. 12]
General and Revenue Secretariat.

G.O. File No. 5 of 1909-10

23

Serial No.

Men may be appointed. But if the Dewan considers them too many 2 or 3 from the bottom upwards may be left out.

1. Mr. P Singaracharlu (Retired Sub Judge)
2. Mr S Varadarajaengar (Retd Sub Judge)
3. Mr. A. Ramanna (Retd Asst Secy)
4. Mr. B.K. Srinivasa Rau (Retd Asst)
5. Mr M Subbarayya BA (Messrs Rudrappa & Sons)
6. Mr. R. Abbas Khan (Timber Merchant)
7. Mr Adappa (Merchant)
8. Mr. Sankaraiya Setty (Merchant)
9. Mr Mir Mahamad Ghaus Razvi (State Pensioner)
10. Mr B.K. Gaundachar (Merchant)

47 40

Those numbered 7, 8 & 9 do not know English.

22/9/09

Dewan

Draft approved

22/9/09 Submit to the Dewan at once

49

P.J.O

47

The drafts forthwith have been altered according to the 2nd Cr's note and his approval obtained for them

22/9/09.

26/9/09

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

Ct. File No. 5 of 1909-10

Serial No.

5 Subd to Dewan

SW 22-9-09

5 Issue
SB
27.9.09
SH 27/9/09

5 Rec today and Submit to 2nd Cr for inf. (Please see do. to Dm. has also been issued)
27/9/09 SH

5 Issued and Submitted to 2nd Councillor for information
Hes W
29/9/09 - 1-10
5 Seen
1/10/09

J.J.O.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G.R.S. 26]

3 Dfts

Ct vs

File No. 5-09

Serial No

Diary No. of letter replied to ____

Please see similar
in the Myore file
also C. J.'s note
22/9/09

To General and Rev. Secretariat

( )

the 190

Date of issue 27-9-09

Signed by C. S. Balasundaram
D/S

D. No. J 988
Cts 5-09

To

(Dear - - -)

I am with reference to Govt notification No. — D — , appointing a Bench of Honorary Magistrates for the Bangalore City, I am desired to point out that Police Cases (other than nuisance cases) may preferably be tried by Stipendiary Magistrates at all events for the present and until further orders.

I am also to inform you

over

SUBJECT.

that as the scheme is still
in the experimental stage,
Govt deem it inexpedient
to confer summary
powers on the Bench as
recommended by you,
and to request you
in the meantime not
to transfer to the Bench
more Cases than they
can conveniently dispose
of.

Yours sincerely

SN

B J Ramaraswami Naidu Esqr BA
District Magistrate of
Bangalore

List of enclosures,

SN
20/9/09

Dft
Hcs
26/9/09

Copied by
Examined by 27/9

MGCPB—20,000-19-12—04.

G. R. S. 12.]
General and Revenue Secretariat.

C.S. File No. 5 of 1909-10 No.

Serial No.	
5(a)	To the Registrar Chief Court " Comptroller & Sub Revenue Commissioner, " Mysore. Dy. & Police " Mysore " District magistrate & Bangalore " District magistrates & other Districts " Supdt. Govt Press & Stationery. No J. 973-85 & 27-9-09- Approves of the appointment of the gentlemen referred to above as Honorary Magistrates with 2nd class powers, and passes orders with regard to the establishment, Contingencies, Stationery and forms on the same lines as those of Mysore, Requests the District magistrates to arrange for accommodation
6	To the Compiler, Mysore Gazette No J 986 & 27-9-09- Notifies the appointment of the said Gentlemen as Honorary Magistrates of the 2nd class and directs that any two or more of them shall sit as a Bench for the trial of cases with Summary powers
	Forwards copy to the District Magis- trate Bangalore No J. 987 & 27/9/09

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue
Secretariat.

File No. 5 of 1909-10

27

DO No. 171 Rev Dept 4/10/09

1856

Deputy Commissioner's Office
Bangalore, 1st October 1909.

Dear Sir,

Adverting to para 3 of Government Proceedings No.J.973-85/Cts.5-09-5, dated the 27th September 1909, passing orders on the appointment of a Bench of Honorary Magistrates in the Bangalore City, I beg to invite kind reference to my D.O.No.118 dated the 1st September 1909 and to request that early orders of Government may be obtained in the matter of locating the new Bench Magistrates' Court.

As regards removing the Police Stores to the District Police Office Building in the Fort, the Superintendent of Police, who was consulted in the matter, states that there is no space available in that building for locating the Police Stores.

Unless the Police stores be removed elsewhere, it is impossible to find space in the District Office Buildings to accomodate the Bench Magistrates' Court.

Yours Sincerely,

K. S. Chandrasekhara Aiyar, Esq., B.A., B.L.,
Secretary to Govt. Genl. and Rev. Depts.
Bangalore.

Subd

Kind attention is invited to the Deputy Commissioners D.O dated the 1st September 1909 (Page 12 of the notes) wherein it is stated "that the

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

Court of Bench Magistrates may be conveniently held for the present in the said rooms (Police Stores) till other accommodation is provided for submitted for orders

Hcs SW
2/10/09.

60 It will be seen from the Dy Co quoted by the D. M. that he distinctly made the Govt understand that there was no difficulty in finding accommodation in the Dist Office Buildings. He did not then raise the present difficulty. He is the best man to suggest a way out of the difficulty but he has not made any suggestions.

2/10/09. SH

Sec'y 61 With an expression of regret that the D'Co should not have foreseen the difficulty when he gave the assurance contained in his D.O. of 1st Sept he may be directed to arrange for the removal of the Govt in consultation with the Police Dept to some other suitable building & to arrange for the rooms in question being let free of rent to a very respectable & deserving

NOTE—Contn. sheet.

GPB—55,000—27.4.09

Serial No.

The Benchmarks' Court ... If necessary, no
local enquiries made for hiring a building for
the Devs at a small rent, but this
Mention is delay, the question of
accommodation for the Court
to Please draft D.O. reply, advising
Government to D.C. for appl. (Perhaps
a personal visit to the Offices of the Mess the
building may show that the difficulty as to
accommodation has been magnified)
W. Wood
Sd
2/10/09

63 Submitted with a draft D.O. reply:
Secy. MW
5.10.09.

Sd
5/10/09

2018.

2nd Cy 64 Draft approved. If necessary I shall visit the place
and speaking to the D. Mgr

Sd
5/10/9.
W. Wood

65 Issued
Sd
6/10/09

GPB—55,000—27-4-09

G.R.S. 26]

B D

File No.

Serial No.

Diary No. of letter replied to

B D No. J 1137
Ch 5-09.

General and Revenue Secretariat
Courts.)
, *the* 190

Date of issue 14-10-09.

Signed by M. J. Hariganuggha

~~To~~

(Dear - -)

I am desired to acknowledge the receipt of your D.O letter No 171 dated the 1st October 1909 regarding the question of ~~providing~~ locating the new Bench Magistrate's Court at Bangalore in the District Office Buildings.

2. In reply, I am to express the regret of the Govt that the present difficulty in providing the Bench

over

SUBJECT

with accommodation in the District Office buildings should not have been forseen when you gave the assurance contained in your D.O letter D 118 8/19 1909, and to ~~date to that~~ request you to be so good as to arrange for the removal of the Police Stores in Consultation with the Supdt of Police to some other suitable and available building and so that the rooms in the District Office building, may be set free at a very early date for locating the Board Bench.

I am to add that if necessary proposals may be made for hiring a building for the Stores

List of enclosures

Copied by

Examined by

GPB—10,000—20-4-05.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

at a small rent, but
this should not delay
the provision of
accommodation for
the Court of Kanakapura

Yours sincerely

S/

B.J. Kumaraswamy Naid
Esqr. B.A.
District Magistrate
of Bangalore

SN 5/10/08

5/10

25/6 11/10

G. R. S. 12
General and Revenue Secretariat

Ch. File No. 5 of 1909-10

Serial No. 61

The file may perhaps be sent to Branch II for confirming the G.O. N° J 973-85 - Ch 5-09-5(a) d 27-9-09 (Vide para 2 re establishments).

Ch
14/10/09

To Br II

SW
16/10

for Dy
16/10

H has no 30/9 Submitted for orders with a draft.
N 19/10/09

G.O. N° 574-86 Ch 5-09 d 25/8/1909 was duly communicated to the Comptroller vide N° H 1881 d 1/10/09 d 7115-09

N

mr
19/10

71 Dme
21-10

W
19/10

From the District magistrate of Bangalore
N° S. 271 & 15-11-09

States that the name of Mr Mahamad Abbas Khan Imber merchant is by mistake entered as Mr R Abbas Khan in the notification and requests that the necessary Corrections may be Caused to be

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue
Secretariat

Ct. File No. 5 of 1909-10 34

Serial No	
	made
(Ct. 5-a-9/1-3 to) 72	Subd As ordered in the linked file, an erratum notification declaring the appointment of Honorary magistrate under Section 14, instead of under section 12, has to issue. The Correction now suggested may also perhaps be included in the same notification 73 Submitted with an addition accordingly to the draft, for approval or for other order.
	Hon SW 17.11.09
74	Please see notes in the file
	19/11/09
11	To the Compiler Mysore Gazette N J 1430 & 23.11.09 Notifies the above and also certain other Corrections.
	c.c. the District Magistrate of Bangalore N J 1431 & 23.11.09 Forwards a Copy of the above

NOTE—Contn. sheet.

BPG—55,000—27-4-09

W 4214/ Public Proceedings of Govt of Mysore for 1909-10 in the Secretariat

From The Deputy Commissioner Bangalore District

To The Secretary to the Government of Mysore Land Revenue Department

Dated 19th December 1909

Despatched 20.

Received

General No.

S No. 113

Enclosure No. two

Submits proposals re the constitution of a Bench of Magistrates in the Bangalore city as called for in Govt Memo No. J 3203-14/etc 202-07-7 dated 19th April 1909

No. 5-a-9

Encl No 4

Office of the District Magistrate,

Bangalore District.

Dated Bangalore, 19th August 1909.

S No. 113 & 2

From

B.J.Kumaraswami Naik, Esq., B.A.,

Deputy Commissioner, Bangalore District.

To

K.S.Chandrasekhara Aiyar, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, General and Revenue

Departments, Bangalore.

Sir,

1 As called for in Government Proceedings No.J.3203-14/ Cts.202-07-4 dated the 19th April 1909, I have the honor to submit herewith my proposals regarding the constitution of a Bench of Magistrates in the Bangalore City.

2 1. Number and names of Magistrates:-

It seems necessary that there should be a large number of Magistrates constituting the Bench to enable them to take -- their turn by rotation(each bench consisting of one Chairman and 3 members sitting for a quarter) as the Magistrates who are either retired Officers or business men cannot be expected to do the -- honorary work continuously throughout the year to the prejudice of their other work. In view of the above circumstances, I beg to recommend that the sixteen gentlemen noted in the accompanying statement be appointed as special Magistrates under clause 2 of section 14 of Criminal Procedure Code for a term of one year, i.e. till the end of June 1910. If the system which is a tentative one

2

one works satisfactorily, the same Magistrates may be re-appointed and their term extended.

3 2. Powers of the Bench of Magistrates.

The Bench of Magistrates may, for the present, be invested with the 2nd class powers as also with powers to try cases summarily(Criminal Procedure Code Section 261) and to pass sentence of whipping(Section 32 Criminal Procedure Code).

III. Establishment:-

4 The Bench Magistrates' Court may be given two clerks, one on Rs.30/- and another on Rs.25/- per mensem as also the marginally noted menial establishment.

1.	Daffedar	on Rs.8/-
2.	Peons	on Rs.6/- each
1.	Sweeper	on Rs.5/-
4	Total.	

As the same set of persons do not always constitute the Bench of Magistrates, it may not be possible for them to exercise proper supervision over the establishment. It is therefore necessary that the establishment should be attached to that of the District Magistrate.

IV. Place for holding the Court:-

It is desirable that the Bench Magistrates' Court should be located in the District Office Buildings but as no accommodation could be found there, a building will be hired in or near the Fort on a monthly rental of Rs.35/- or 40/- for locating the Bench Magistrates' Court.

3

V. Miscellaneous:-

A sum of Rs. 750 may be sanctioned for purchasing the neces-sary furniture for the Court. The accompanying statement gives the particulars of furniture and their probable cost.

To meet the cost of contingencies a sum of Rs. 5/- per month may be required and the same may be sanctioned.

I have the honor to be

Sir,

Your most obedient servant

District Magistrate.

L.S.R.

C H A I R M E N.

1. Mr.S Varadaraja Iyengar, Retired Sub-Judge
2. ,, H. Ramaiya, Retired Assistant Secretary
3. ,, C. Syeduddin, Retired Assistant Superintendent of Police.
4. ,, P. Singarachari, Retired Sub-Judge.

M E M B E R S.

1. Mr.Balee Sreenivasa Rao, Retired Amildar
2. ,, Jagannatha Rao -do-
3. ,, M.Subbaiya, B.A., Municipal Commissioner
4. ,, B.Basappasetti, -do-
5. ,, Veerabhadra Setty, -do-
6. ,, D.Adiappa, Merchant.
7. ,, B.K. Mariappa, Sowcar and Land-holder
8. ,, T. Venkatarama Sastry, Cloth-merchant
9. ,, Mir Mohammad Gouse Razvi, State Pensioner
10. ,, Rasool Khan Saib, Merchant and Jodidar
11. ,, Sankarayya Setty, Shroff and Jeweller
12. ,, Rachappa, Mandi Merchant.

For Deputy Commissioner.

L.S.R.

4

List of furniture required for the use of the Bench of Magistrates Court.

No.	Name of furniture	No.	DIMENSION Length	Bredth	Depth or height	Rate of each article.	Amount
			ft	ft	ft	Rs	Rs. as P
1	Chairs for Magistrates.	4	.	.	.	7	28 -0- 0
2	Long table for -do-	2	12	3¾	2½	78	156 -0-0
3	Horse shoe table	1	6	2	2½	30	30 -0-0
4	Chairs	12	.	.	.	4	48 -0-0
5	Benches with wooden back	6	9	1½	1½	15	90 -0-0
6	Witness box	1	8	3	4½	26	26 -0-0
7	Accused box	1	12	2¾	4½	78	78 -0-0
8	Almirahs	2	7	4	1¾	44	88 -0-0
9	Chairs	4				4	16 -0-0
10	Tables	2	5	3½	2½	21	42 -0-0
11	Pigeon Holes	2	4	1½	2	22	44 -0-0
12	Box for property	1	4	2	2½	21	21 -0-0
13	Small box for registers	1	2	1¾	1½	11	11 -0-0
14	Railings		13	6	4	65	65 -0-0
					Total Rupees:-		743- 0 -0

Sd/-P.S.Achyuta Rao,
Superintendent,
Central Jail,
Bangalore.

19-8-09

"C O P Y"

For Deputy Commissioner.

L.S.R.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read :-

Govt. Progs. No.J.3203-14/Cts. 20 2 -07-4 dated the 19th April 1909, passing orders regarding the institution of Benches of Honorary Magistrates, as an experimental measure in the cities of Bangalore and Mysore and requesting the District Magistrates concerned to submit the necessary proposals for giving effect to the scheme.

2. Letter No.S.113 dated the 19th August 1909 from the District Magistrate, Bangalore, submitting proposals for the constitution of a Bench of Honorary Magistrates for the Bangalore City.

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Order thereon No. J973-85 ch 5-09-1QF

Dated Bangalore 27th Septr 1909.

(Constitution and Powers. | With a view to afford relief to the members by turns at the end of each quarter, the District Magistrate of Banga-

6

Bangalore recommends the names of 16 gentlemen for appointment as Honorary Magistrates. For the present Government consider it sufficient to appoint the marginally noted gentlemen as honorary Magistrates with the powers of a Magistrate of the Second class. Their nominations are accordingly approved. The District Magistrate will under clause C of Section 17 of the Criminal Procedure Code, frame appropriate rules for the constitution of the Bench for conducting trials;-the selection of a Chairman being regulated by rule 3 of the rules laid down by Government for the guidance of the Bench-Magistrates. A separate notification will be published in the Gazette regarding the appointment of the Magistrates.

Mr. S. Varadarajayengar
Retired Sub-Judge.
P. Singaracnar
Retired Sub-Judge
H. Ramaiya
Retired Assistant Secretary to Govt
Ballee Sreenivasa Rao
Retired Amildar
Jagannnatha Rao
Retired Amildar.
M. Subbaiyya. B.A.,
Municipal Commr.

insert names entered in my note & approved by the Dewan -

(Please see below)

2. As regards the establishment, contingencies and supply of stationery and forms, the orders of Government contained in paras 3 to 5 of their Proceedings No. J.574-86/Cts.5-09-2 dated 23rd August 1909 shall be applicable mutatis mutandis in the case of the Banga-

Establishment etc

1. Mr P. Singrachar (Retd Subjudge)
2 Mr S. Varada Rajayengar (Retd Subjudge)
3. Mr H. Ramaiya (Retd Asstt Secy)
4 Mr Bale Srinivasa Rao (Retd Amildar)
5 Mr M. Subbaiya Ba (Municipal Commr)
6 Mr R. Abbas Khan (Timber merchant)
7 Mr A. Appa (merchant)
8 Mr Sankaraiya Shetty (merchant)
9 Mr Mir Mahamad Ghouse Rahim (State pensioner)
10 Mr B.K. Gundachar (merchant)

Bangalore Bench as well.

(Accommodation) 3. The District Magistrate will arrange for accommodation for the sittings of the Bench in the District Office buildings.

Furniture 4. Government are also pleased to sanction a sum of Rs. 100/- for meeting the cost of furniture required for the Bench.

5. The additional charges on account of the Bench will during the current official year be met by reappropriation, the necessary provision being made in future Budgets.

Secretary.

To

The Registrar, Chief Court of Mysore.
" Comptroller, Mysore Govt.
" Revenue Commissioner in Mysore.
" Inspector General of Police in Mysore.
" District Magistrate of Bangalore.
" District Magistrates of other Distt
" Superintendent, Government Press.& Stationery.

Copy to Branch II for Confirmation.

Government of His Highness

the Maharaja of Mysore.

8

Notification.

Under Section 12 of the Code of Criminal Procedure, 1904, the under-mentioned gentlemen are appointed Magistrates of the Second Class, and under Section 15 of the same Code, any two or more of them shall sit as a Bench for the trial of such Criminal cases or classes of such cases arising in the City of Bangalore, as may be referred to the Bench by the District Magistrate of Bangalore.

1. Mr. S. Varadarajaiengar.
   Retired Sub-Judge
2. " R. Singracnar,
   Retired Sub-Judge.
3. " H. Ramaiyya,
   Retired Assistant Secy to Government
4. " Balee Sreenivasa Rao.
   Retired Amildar
5. " Jagannatha Rao
   Retired Amildar
6. " M. Subbaiyya, B.A.
   Municipal Commissioner.

P.V.O.

By order

For Secretary to Government

To

The Compiler, Mysore Gazette,

for publication with the

Kannada Translation

J987 9/27/9(09)

Copy to the District Magistrate of

Bangalore for information.

By Order

For Secretary to Government.

2. Under the provisions of Sec 261 of the Code of Criminal Procedure, 1904 the Sessions Judges invested with power to try summarily all or any of the offences described in that Section

Approved by order

No. S. 241

District Magistrate's Office
Bangalore District
Dated Bangalore 15th/16 November/09.

10

From

B. J. Kumaraswamy Naik Esqre
B. A
District Magistrate
Bangalore District

To

K. S. Chandrasekhara Aiyar Esqre
B. A & B. L
Secretary to Government of Mysore
General & Revenue Departments

Sir,

Adverting to Government Notification No. J. 986 Cr. 5-09-6, dated the 27th September 1909, appointing ten gentlemen as Honorary Bench Magistrates, in the Bangalore City, I have the honor to state that the name of Mr. Mahamed Abbas Khan, Timber Merchant, is by mistake entered as "Mr. R. Abbas Khan", and therefore to request that the necessary correction may kindly be caused to be made.

I have the honor to be
Sir,
Your most Obedient Servant

District Magistrate

1909-10 J/1258

From

The District Magistrate
Bangalore District

To

The Secretary to the
Government of Mysore
General & Revenue Department

Dated 15th November 1909

Despatched 16

Received

General No.

S No. 241

Enclosure No.

Cb file No 5-09
81 A

government Notification
No J 986/Cb-5-09-6 of 27th
September 1909

States that the name of
Mr Mahamed Abbas
Khan a Shimoga merchant
is by mistake entered
as Mr Abbas Khan &
& requests that the
necessary correction
be caused to be made.

G.R.S.[26]

2 copies

III Lab

Ct File No. 5-09

Serial No. 4410.

11

Diary No. of letter replied to _____

Notification No. 7/1430.

General and Revenue Secretariat

(Ct)

the 21 Nov. 190

Date of issue 23-Nov-09

Signed by Sm C S Balasundaram

Dy Sr

To

In Govt notification No 9696-Ct 5-09-6 dated 27th September 1909 (appointing Bench Magistrates and Municipal Magistrates in Bangalore) for the words "Section 12, read "Section 14, ~~and~~ for the words "Magistrates of the Second class" read "Special Magistrates with the powers of a magistrate of the Second class", and for the name "Mr R Abbas Khan (Timber merchant)" read "Mr Mahamed Abbas Khan (Timber merchant)"

By order

for Secy

To

The Compiler, Mysore Gazette for publication with a Kannada translation.

J 143.

23-11-09

over.

appd by Dr 2nd Cr

Tr. 28/11/09

Translated RCS. 24/11/09

SUBJECT. Copy to the District Magistrate of Bangalore for information

By order

for Secy

20/11/09

22/11